

colleagues in a bipartisan way to make those necessary changes.

Second, as a way of looking at reform, I am very concerned that too many times in America equality under the law is not a reality; that the poor do not receive the same justice in many instances. For more than 50 years, the Supreme Court has ruled that indigent people accused of felonies must be afforded counsel. And for more than 40 years, starting with the decision of *Argersinger v. Hamlin*, the Supreme Court has found that the Sixth Amendment of the Constitution requires that Federal, State, and local governments provide counsel to indigents who are accused of misdemeanors if their convictions could potentially lead to imprisonment.

I regret to say that although I am aware of instances where the Federal Government is responsible, it is particularly at the State level where the Sixth Amendment is violated numerous times on a daily basis. I cannot think of any Supreme Court decision that has ever faced such resistance in magnitude and time as that *Hamlin* case.

Indigent misdemeanants are being pressured to waive counsel. Sometimes they are threatened with imprisonment if they seek to have counsel appointed. There are other ways the decision is violated. Then there is the question of the competence of the counsel actually appointed, given how many cases are assigned to an individual lawyer and how quickly judges resolve them.

I fear some innocent people are being sentenced to prison. There are other consequences as well. We should make sure there are collateral consequences imposed on people who are guilty of domestic violence misdemeanors, for instance. We do not want collateral consequences imposed on people who did not actually commit misdemeanors.

If people later get in trouble with the law, we don't want them to qualify for the safety valve because some of their previous convictions were for misdemeanors in which they did not receive the right to counsel. We don't want people to have criminal records when they seek employment when they did not have counsel who could have prevented a conviction.

In some situations, a misdemeanor will automatically become a felony if the accused has committed it repeatedly. We don't want a misdemeanor conviction to render a later crime a felony if questions of innocence surround the earlier crime.

Third, I want to address databases for criminal records. Those databases can serve useful purposes, such as enabling background checks, background checks on people who are being considered for a job or for volunteering to work with children. There are proposals to expand the purposes for which the databases can be used, but I am concerned about the quality and the completeness of the records in the database. If the database contains erro-

neous or outdated material, then the people being checked may unfairly lose out on a job or the ability to help children.

There are procedures at the Federal level to challenge the information in the database if the person knows their records are inaccurate, but that is a very steep climb. The States have their own procedures for people to challenge the accuracy of criminal records, but success there may be even harder and may cost more than people can afford. Records are also sometimes not expunged, even when the law said they must be expunged.

I do not want to see the arrest record turn up in a background check and deny someone the ability to work, deny the economy the benefit of that productivity, and deprive the government of tax revenue from that work because a background check turned up a record of an arrest from long ago that never resulted in a conviction.

This is a widespread problem. According to press reports, when arrests are included, 32 percent of adults in this country have criminal records that are contained in databases. I am sure we can reach bipartisan agreement on legislation to address this problem in some form.

There are dangerous and poorly considered proposals to change the criminal justice system that are divisive, are not based on reality, and will never become law. There are also problems in the criminal justice system that are clear, widely recognized, have serious consequences, and can be the subject of effective bipartisan legislative efforts. I will do what I can to make sure the Committee on the Judiciary devotes its energy to the second category.

I yield the floor.

#### PASSENGER RAIL REAUTHORIZATION

Mr. NELSON. Mr. President, the House of Representatives recently passed H.R. 749, the Passenger Rail Reform and Investment Act of 2015.

I am pleased to see the House take bipartisan action on this bill. Intercity passenger rail is a critical part of our transportation infrastructure. People in many regions of the country are in desperate need of better ways to travel between fast-growing cities, and passenger rail is our best hope at relieving congestion on highways and runways that don't have additional room to expand.

The House bill is a good step forward. H.R. 749 would maintain current levels of Federal support for Amtrak to operate routes that connect the country. It would also authorize some additional funding to invest in passenger rail projects and improve a Federal loan program that can be used for rail infrastructure. This is a productive place to start.

The authorization levels in this bill are too low to get our passenger rail network where it needs to be, let alone

to keep up with the rest of the world by bringing high-speed rail to the United States. H.R. 749 also fails to address critical rail safety priorities or even reauthorize funding for the Federal Railroad Administration's safety oversight activities.

We can and must do better than a flat-funded authorization bill that turns a blind eye to safety and to the growing needs of our country. I look forward to working with my colleagues in the Senate to improve this bill and make some real progress toward developing modern, safe, and efficient passenger rail options that America deserves.

#### ADDITIONAL STATEMENTS

• Mr. BLUNT. Mr. President, I wish today to honor Bob Hufford, an icon in the Missouri food industry for the past 63 years. He announced his retirement from the Associated Wholesale Grocers, AWG, board of directors after four decades of service with the last 11 years having served as its chairman. AWG is a retailer-owned cooperative serving over 2,300 retail member stores with a complete assortment of grocery, fresh meat, fresh produce, specialty foods, health care, and general merchandise items.

During Bob's tenure as chairman, AWG sales grew from \$4.5 billion in 2004 to almost \$9 billion in 2014, while patronage paid to members grew by 155 percent. Bob helped direct the addition of the Fort Worth division in 2007, the replacement of the Oklahoma City distribution center in the same year, and the addition of the gulf coast division in 2013. During the same period, Bob grew his own company, Town and Country, in Fredericktown, MO, to be one of the largest employers in southeast Missouri with over 10,000 employees.

Bob's passion for the food business was sparked early in his life by his father's work for a meatpacking company. Bob's first job was working in a local supermarket, while going through high school and later college. He became a sales representative for the National Biscuit Company, otherwise known as Nabisco, in 1958. While working for Nabisco, Bob called on two grocers, Max Penner and Wayne Gott, who recognized his leadership skills and work ethic. In 1970 they invited him to become a third partner in a new 5,000-square-foot store in Fredericktown, which Bob accepted.

From that modest beginning Bob grew his business to 44 stores currently operating. Recently, Bob converted his company into an employee-owned company, allowing his employees to share in the store's profits. Today Bob serves as the CEO of the company, which operates stores in Missouri, Arkansas, Tennessee, and Kentucky. He and his wife Marsha have a wonderful family of five children, eight grandchildren, and two great-grandchildren. Many of his family members have worked in the business next to Bob.

Bob was named Missouri grocer of the year and inducted into the Missouri Grocers Association Hall of Fame, along with his good friend and former partner Wayne Gott.

I ask that all my colleagues join me in congratulating Bob Hufford on his decades of success. I wish him the best in his well-deserved retirement.●

#### REMEMBERING AARON ANDERSON

● Mrs. BOXER. Mr. President, today I honor the life of Aaron Anderson, a longtime resident of San Francisco, a passionate advocate for education, a devoted and loyal friend, and most of all a dedicated family man, who passed away on February 7, 2015. He spent 25 years in higher education as a learner, educator and contributor, most recently as an administrator and instructor at San Francisco State University's College of Business. He was 50 years old.

Aaron was originally from Old Saybrook, CT, and attended the University of Connecticut, where he was captain of the men's cross country team. He began his career in higher education in student services at California Polytechnic State University and University of California, Berkeley, and went on to receive his Ph.D. in higher education from the University of Michigan. He was an expert and author in the area of organizational behavior and change, and brought this expertise to his passion for advancing education at all levels.

At SFSU, Aaron served as director of strategic organizational initiatives, following stints as executive MBA program director and graduate business programs acting director. As an instructor in organizational change and psychology, he inspired and fostered creativity in his students and colleagues and served as a mentor to many of the graduate students in his classes. His passion for education extended outside the classroom as well, where he found time to serve as a Board member for Educate Our State and as President of the McKinley Elementary School PTA.

In addition to the passion he brought to his profession, Aaron had a love for life that could not be suppressed. He remained physically active, biking wherever he went and never missing an opportunity to run up Mt. Tam or windsurf at Chrissy Field. He played weekly at traditional Irish music sessions in Berkeley and San Francisco and was an avid photographer and a prolific user of social media. Most importantly, however, he was deeply committed to his family, and embraced his early role as a stay-at-home dad.

Aaron will be deeply missed by all those lucky enough to have known him. I send my heartfelt condolences to his loving wife, Darby Davenport, as well as his two sons, Clayton and Jeremy.●

#### RECOGNIZING DR. M. JOHN CULLINANE

● Mr. COCHRAN. Mr. President, I wish to commend Dr. Murdock John Cullinane, Jr., for his 46 years of service to the U.S. Army Corps of Engineers.

Dr. Cullinane, who will retire this month, is Deputy Director of the U.S. Army Engineer Research and Development Center, ERDC, in Vicksburg, MS, a position he has held since 2010. He is culminating his public service career as the second in command of one of our Nation's most diverse research and development institutions. As Deputy Director, he has led the ERDC program management board, which is responsible for developing and implementing the organization's strategic mission. He has earned the respect of his colleagues and others for his commitment to the best interests of ERDC and the U.S. Army Corps of Engineers.

Prior to becoming Deputy Director, Dr. Cullinane served as a senior science technical manager and spent 9 years as the technical director for ERDC's Environmental Quality and Installations business area, which conducts research on installation transformation, operations, and environmental issues, as well as remediation and restoration, land planning, stewardship and management, threatened and endangered species, and cultural resources. He previously served as the technical director of military environmental engineering and science, as well as program manager of restoration research, a position that saw him direct all aspects of the Army restoration research program.

Dr. Cullinane has also led ERDC in several successful corporate initiatives to optimize the generation of unique technical solutions for a diverse customer base and to develop effective, efficient, and sustainable ERDC business operations and processes. He has also championed the ERDC Business Sophistication, Employee Success, Superior Solutions, Strategic Communication, and the Transition Stratagem, BESST, Initiative, a strategic framework designed to guide the organization into the year 2020.

Dr. Cullinane has had a distinguished career of exemplary service to the U.S. Army and the Army Corps of Engineers. His professionalism, dedication, and technical expertise have been valuable to ERDC and are a testament to his good character and high standards. His contributions are in keeping with the finest traditions of military and civilian service and reflect great credit upon the Army Corps, the Army, and our Nation.

I am pleased to commend Dr. Cullinane for his service and to wish him well in the years ahead.●

#### RECOGNIZING NORTH DAKOTA FARM SERVICE AGENCY EMPLOYEES

● Ms. HEITKAMP. Mr. President, I wish to recognize the 302 U.S. Depart-

ment of Agriculture Farm Service Agency—FSA—staff in North Dakota and thank them for their hard work and dedication to serving our State's farmers and ranchers.

The farm bill is perhaps the most important piece of legislation we can pass for North Dakota, and I am proud to have been a part of writing and passing it. But the work doesn't end when the President signs the bill. In fact, that is when the real work begins for hundreds of FSA employees.

Our farmers are faced with a big decision this month, when they will decide on both base acre reallocation and yield updates as well as elect which farm program they will participate in for the next 5 years.

This is a big decision for farmers, and one that will have effects on their bottom lines for the next 5 years. It is also a complicated decision. The 2014 farm bill gave producers the opportunity to tailor farm programs to their specific operation by choosing between revenue protection—at the county or individual farm level—or price protection coverage, or a combination of the two.

These important decisions are compounded for farmers with declining commodity prices and producers facing greater economic uncertainty than they have in recent years.

And that is why the FSA staff are so important. They held 307 informational sessions attended by 15,469 individuals across our State throughout the winter to update as many producers as possible on their options. And they have had long days with our farmers at the local level helping folks with base reallocation, yield updates, and program election. Producers recognize and appreciate their hard work and dedication, and I thank them for their service to our State. I have heard from farmers more than once that "the ladies in the office know what they're doing and have been very helpful."

I would also like to thank the North Dakota State University Extension Service staff for the countless hours they have put into educating producers about their options and walking them through how each program and economic scenario could affect them for the next 5 years.

Farmers and ranchers are the backbone of my State and this country. It is important that we continue to provide them with the tools and certainty they need. I thank the dedicated men and women of the Farm Service Agency who work daily to make this a reality.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United